

THE MARYLAND WILDLIFE ADVISORY COMMISSION  
MINUTES – OCTOBER 16, 2002

Chairman Tim Lambert called the meeting to order at 9:45 a.m.

**October 16, 2002 Meeting Agenda**

- Chairman Lambert announced that the agenda items needed to be rearranged.

**Approval for Minutes from August 2002 Meeting**

- August meeting minutes approved without correction.

**Teaming With Wildlife Report**

- Presentation by Edith Thompson, Exotic and Invasive Species Coordinator
- A national effort to establish long-term funding consistency for state fish and wildlife agencies [Attachment A] in the following efforts:
  - 1) Conservation
  - 2) Education
  - 3) Recreation.
- Teaming with Wildlife (TWW) created a coalition of more than 3000 groups.
  - 1) To prevent species from becoming endangered and to nurture a new generation of wildlife stewards.
  - 2) We have a total of 143 Maryland Coalition Members [Attachment B].
  - 3) The Maryland Coalition Members have been working with Congress trying to receive legislative vehicles.
- The Conservation and Reinvestment Act (CARA) (H.R. 701) [Attachment C] to meet the different funding source was an idea given by Congress.
  - 1) It is a fifteen year guaranteed fund outside the appropriation process for:
    - (a) Coastal Programs
    - (b) Fish and Wildlife Programs
    - (c) Land and Water Conservation.
  - 2) TWW tried to get CARA passed about 2-3 years ago; CARA was up for reauthorization for Land and Water Conservation.
    - (a) The Land and Water Conservation received money from offshore oil.
    - (b) The revenue from offshore oil is used for creating national parks, state and local parks, and state and local government programs.
    - (c) In 106<sup>th</sup> Congress, the House passed CARA, but there was no Senate vote, as a result, CARA was not enacted into law.
    - (d) Instead of guaranteed funds, CARA would be funded through annual appropriations funds.
  - 3) In place of CARA Congress provided a 6-year authorization in Interior Appropriation Grants for several programs, some of which were from the original Conservation Reinvestment Act.
    - (a) In the FY01 Congress provided 50 million dollars in interior appropriations as a competitive grant and \$50 million from the Commerce-Justice-State Appropriation [Attachment D] for formula based wildlife grants under the Pittman-Robertson Fund.
    - (b) Within the Pittman-Robertson Fund Congress created a sub-account called Wildlife Conservation and Restoration Program. Maryland received about \$680,000 from the Wildlife Conservation and Restoration Program.
    - (c) In the FY02 Congress rescind 25 million dollars of the Interior Appropriation Grants that they had been provided in FY01 under the interior appropriations, because:
      - (i) The Fish and Wildlife failed to provide regulations for the State to use the funds in a timely manner.
      - (ii) States that submitted applications prior to regulations were awarded funds, which created controversy.
      - (iii) In FY02 85 million was received as State Wildlife Grants in this authorization program sometimes referred to as "CARA-lite."
      - (iv) Interior Appropriations received 1million dollars in FY02 from the 85 million dollars.

- (d) For FY03 TWW had been working as a coalition to increase the 85 million dollars to 150 million dollars for the State Wildlife Grants under the 6-year authorization.
- 4) FY02 Maryland State Wildlife Grants Proposed Project Selection Process [Attachment E]. The Maryland State Wildlife Grants provide funding for the fish and wildlife agencies to plan and implement conservation for those species of animals with the greatest conservation need.
- 5) TWW strategy is to create a track record of wise use for CARA-lite funds that plans to pursue the full CARA in the future.
  - (a) This account is not part of the Pittman-Robertson Fund.
  - (b) We can only fund educational programs that are vital to a conservation program; no recreation programs.
- 6) The American Wildlife Enhancement Act of 2001 (S. 990) passed in the Senate this year with amendments [Attachment F]. Unfortunately, the American Wildlife Enhancement Act will not go through the House of Representatives (reference to Congressional Website [thomas.loc.gov](http://thomas.loc.gov) for full text of Congressional language).
  - (a) The language in the S. 990 is the same language as in the CARA, Title II (H.R.701).
  - (b) TWW wanted 350 million dollars long-term funding similar to Pittman-Robertson Fund that will provide TWW annually a long-term funding source. This will prevent programs having to close down due to lack of funding.
  - (c) If and when the Senate Committee passes the FY03 Interior Appropriations bill this Commission should write to our Senators asking for support.
  - (d) Commissioner Adams added that this Commission had been a long supporter of TWW and signed on to the MD Coalition.
  - (e) The State Coalition really caught the attention of Congress.
  - (f) When everyone gets involved it does make a difference.
- 7) Teaming With Wildlife has a website that is [www.teaming.com](http://www.teaming.com)
  - (a) To find whom your Representatives you can type that request from TWW Website for the contact information.
  - (b) TWW can respond through fax, telephone, and/or e-mail – snail mail is very slow on Capitol Hill.
- Questions and Answers
  - 1) Commissioner Lamp asked for clarification on TWW goal for receiving money on a long-term basis. One of the issues with CARA and Federal Grants are matching funds. TWW have federal grants opportunities; however, TWW funds are severely crested on some levels. CARA requires a matching fund; therefore, that means in FY02 State Wildlife Grants 50% for implementation 75/25 for planning non-federal fund. Chairman Tim Lambert is working with TWW on researching methods for obtaining non-federal matching funds. Chairman Lambert mentioned Maryland Sportsmen Association (MSA) researched an alternative method to obtain non-federal funds. MSA found a program in Maine called Maine Outdoor Heritage Fund where people scratch off a lottery system like our Maryland Lottery System. The money is placed in a dedicated fund. MSA presented the Scratch-Off Lottery System to the TWW coalition. Tom Franklin is working on tailoring names lottery system to Maryland needs and hopefully takes this to legislation.

#### **Ban on Discharging of Firearms**

- Presentation by Director Paul A. Peditto
- The Governor announced an Executive Order regarding the ban on discharging of firearms in Montgomery, Howard, Anne Arundel, and Prince George's Counties.
- WHS received telephone calls about every 14 seconds.
- DNR appreciated the comments from the Sportsmen's Association

#### **WHS Game Program Report**

- Presentation by Robert Beyer, Associate Director
- Introduction of staff members [Attachment G]
  - 1) Ms. Kim Crotty, Administrative Assistant
  - 2) Mr. Steve Bittner, Game Mammals Section Leader
  - 3) Mr. Robert Colona, Furbearer Project Leader
  - 4) Mr. Douglas Hotton, Deer Project Leader

- 5) Mr. Brian Eyler, Biologist and Biometrician
  - 6) Mr. George Timko, Suburban Deer Biologist
  - 7) Mr. Harry Spiker, Bear Project Leader
  - 8) Mr. Bill Harvey, Game Bird Section Leader
  - 9) Mr. Brent Evans, Database Manager
  - 10) Mr. Larry Hindman, Waterfowl Project Leader
  - 11) Mr. Bob Long, Upland Game Bird Project Leader
  - 12) Mr. Donald Webster, Habitat Specialist
- Budget: The budget stands at 1.2 million dollars for general operations (700k in salaries and 500k in operations).
  - Major Issues: Exotic and Invasive Species
    - 1) Phragmites control has been an ongoing issue. Mr. Donald Webster handles this project.
    - 2) Nutria Study has been an ongoing issue. We are working with many states and federal agencies.
    - 3) Black Bear control has been an ongoing issue. The Black Bear Task Force has been meeting every month since last January.
      - (a) The Black Bear Task Force has a Draft Recommendation Plan that they voted on at their last meeting. A press release will be going out soon announcing the public meeting.
      - (b) We will provide a 30-day public comment period in November. Also, a public information meeting will be held in Garrett County.
      - (c) Once WHS has compiled the comments, then WHS will post the public comments on the DNR website.
    - 4) Habitat Recovery and Enhancement has three major projects:
      - (a) CREP (Conservation Reserve Enhancement Program)
      - (b) WHIP (Wildlife Habitat Incentives Program)
      - (c) Migratory Game Bird Fund
    - 5) Wildlife Disease:
      - (a) Epizootic Hemorrhagic Disease (EHD) has been located in Charles and Calvert Counties. Also, we have evidence that EHD is located on the Eastern Shore.
      - (b) Chronic Wasting Disease (CWD) has been located in ten states and two provinces. The Department has a CWD team to develop a plan. Information on CWD is located on our DNR Website.
      - (c) West Nile Virus (WNV) has been an ongoing project. We are starting to review information that suggested that WNV can be transmitted through human milk and organ transplants, so this disease is back on the hot topic.
  - Game Mammals
    - 1) Presentation by Steve Bittner, Game Mammals Section Leader
    - 2) Highlight:
      - (a) Furbearer Project: Identify and implement research and management strategies for furbearer species, including rabbits and squirrels.
        - (i) Mr. Robert Colona has been working on Best Management Practices (BMP) with the National Trap Test Program.
        - (ii) We are looking at developing the most humane methods for trapping animals.
          - a. Trapping Designs
          - b. Pest Protocols
        - (iii) We mailed a Bowhunter Survey form to all successful bowhunters from last year. We asked bowhunters to keep record of what they see while bow hunting this season.
          - a. We mailed over 10,000 surveys this year.
          - b. The survey form is on the DNR Website.
          - c. At the end of the year, the bowhunters will turn their reports in and we will tabulate the totals.
      - (b) Deer Project: Management and research of white-tailed and sika deer. Douglas Hotton handles the Deer Project with the assistance of Brian Eyler and George Timko.
        - (i) The Deer Project is the biggest project in the Game Mammals Section.
        - (ii) WHS will be at check stations collecting data on the first day of deer season.
        - (iii) We have streamlined the data collecting process for this year.
        - (iv) Finishing the design and implementation of Deer Cooperator Permit system.

- a. The new regulation will allow an individual or group to work with homeowners associations or small landowner groups to control deer population on a specific property.
  - b. The individual or group needs to apply for the Deer Cooperator Permit with DNR and the individual or group will have to pass a written exam prior to receiving the Deer Cooperator Permit.
  - c. Also, the individual or group will need to submit an Operational Plan on what needs to be done on the property.
  - d. To use lethal methods the individual or group will need to pass a shooting proficiency test before the individual or group can shoot a deer under the authority of the Deer Cooperator Permit.
- (c) Bear Project Management and population monitoring of Maryland black bears. One of the major issues is how to handle nuisance bears. Harry Spiker handles the Black Bear Project.
- Game Birds
  - 1) Presentation by Bill Harvey, Game Bird Section Leader
  - 2) Highlights
    - (a) Upland Game Bird Program: Identify and implement research and management strategies for wild turkeys, bobwhite quail, ruffed grouse, and ring-necked pheasant. Bob Long handles the Upland Game Bird Program.
      - (i) CREP focuses on the field edges:
        - a. There is a huge potential for bobwhite quail. Especially, if the management process can be tailored to suit bobwhite quail needs.
        - b. We submitted a state wildlife grant proposal to review the CREP for bobwhite quail and grassland bird use and abundance.
      - (ii) Also, we submitted a proposal to focus on Idylwild Wildlife Management Area (WMA). We conducted a survey on October 15<sup>th</sup> at Idylwild WMA to test the potential quail habitat practices.
    - (b) Habitat Specialist: Assist the landowners who want to develop wetland projects; they are often part of CREP. In addition, supervises the WHIP project. Also, conducts Phragmites control on over 500 acres of public lands and provides assistance to several hundred landowners. Mr. Donald Webster is the Habitat Specialist.
    - (c) Waterfowl Program: Identify and implement research and management strategies for waterfowl species. Mr. Larry Hindman handles the Waterfowl Program, which includes developing waterfowl regulations.
      - (i) Finishing up the Mute Swan Plan
      - (ii) Depending on the outcome, we will be working on the implementation of the Mute Swan Plan.
    - (d) Game Program Database Manager: Manages Game Program databases including banding data, deer and turkey harvest data, deer biological data, hunter mail survey, waterfowl concentration areas, and breeding waterfowl surveys.
- Questions and Answers
  - 1) Commissioner Freeland asked other than transportation, how is CWD distributed in deer. We really don't know.
  - 2) Commissioner Dollar asked if there were any potential environmental effects due to CWD. Yes, there is possibility of potential environmental effects.
  - 3) Commissioner Adams asked if the SE study on bobwhite quail is still going on. Yes, they are active and they have recommendations to help the bobwhite quail population. Their goal is to have the bobwhite quail population equivalent to the status of the late 80's.
  - 4) Commissioner Lamp asked how much longer is the study of trapping techniques. The BMP are doing fieldwork on raccoons this fall. Hopefully, in the next two years the fieldwork will be completed. BMP will target each species to distinguish what is best for each species. Commissioner Lamp commented that BMP have been working for years on the trapping designs and we never received a report. Commissioner Gregory asked for the Commission to receive a schedule of BMP, if possible. We will provide a schedule once it becomes available.

#### **Wild Turkey Advisory Committee Report**

- Presentation by Bob Long and Chairman James Gilford of the Wild Turkey Advisory Committee

- The Wild Turkey Advisory Committee has not met in a year. In a couple of months, we will arrange a meeting.
- Mr. Steve Bittner compiled a turkey book regarding the biology of turkeys. Mr. Bob Long is working on the printing of this publication.
- Chairman James Gilford presented the history of the Wild Turkey Advisory Committee.
  - 1) In 1978, the Department asked fourteen individuals to review a document about the status of wild turkeys in Maryland and to provide recommendations.
  - 2) The group took about a year and half, with meetings every month, to develop the Wild Turkey Draft Plan.
    - (a) Developed Trapping and Transportation Program for wild turkeys.
    - (b) Encouraged staff to appraise suitable wild turkey habitat. It was suggested that wild turkeys needed large amounts of forest to have good turkey habitat.
    - (c) Suggested better records were to be kept as to the progress of the wild turkeys.
  - 3) Recommended Wild Turkey Advisory Committee to monitor the whole management of wild turkeys for the State.
  - 4) Wild Turkey Committee has a management plan; however, the management plan had been edited several times.
  - 5) The Department needs to establish policy for wild turkeys.
- Questions and Answers
  - 1) Commissioner Lamp asked if the Wild Turkey Advisory Committee have recommendations for the Department. For example, the Wild Turkey Advisory Committee suggested that the Department should have a spring season and maybe not a fall season. Chairman Gilford replied that there exist recommendations from the Wild Turkey Advisory Committee. In fact, their recommendation was to have a spring season, but restrict the fall season to the Western region where it had been the tradition for a long time.

#### **Baiting and Feeding of Deer**

- There was an article in the Baltimore Sun regarding a youth hunter who harvested an antlered deer over a bait pile.
  - 1) Currently the law prohibits baiting on public lands; therefore, Commissioner Lamp, the Humane Society of the United States, and the Fund for Animals requested that the Wildlife Advisory Commission consider this issue and come out in opposition to baiting deer.
  - 2) WHS took some time reviewing this issue. The decision of allowing baiting is divided in the middle, 25 states allow baiting and 25 states do not allow baiting. This is not just a baiting issue, but it is a deer feeding issue.
  - 3) Delaware and New Jersey allow the ability to bait for deer.
  - 4) Michigan had deeryards where deer congregate in large groups to feed during the winter for survival.
    - (a) Truck loads of grain, sugar and beets are brought for the deer.
    - (b) Some of the farmers' primary income is to provide food for the hunting industry.
    - (c) Tuberculosis (TB) appeared in the State of Michigan and it was determined that baiting in that forum contributed to the TB. Michigan still allows baiting but not in that method.
    - (d) No scientific reason why baiting should not be allowed. The State must have the disease present for the disease to spread.
  - 5) Wildlife Society Bulletin completed a Suburban Deer Study on how deer responded to bait.
    - (a) No deer left their home range to go to a bait pile.
    - (b) The deer did shift radius within their home ranges. The researchers suggested it may be due to baiting.
  - 6) In Maryland we are making a move to stop transportation of deer.
- Hunting Ethics
  - 1) The question is it ethical for a hunter to bait for deer and then kill it.
    - (a) We do not allow baiting of Waterfowl. Waterfowl reacts totally different to bait than deer do.
    - (b) Commissioner Lamp felt that teaching a young person to feed deer over a period of time and then kill it is wrong.
    - (c) Chairman Lambert added that the Maryland Sportsmen's Association (MSA) felt that baiting is a personal decision.

- (d) Commissioner Freeland mentioned that baiting or using decoys, calls, etc., are basically lure techniques. In some cases baiting is used as a management tool for some hunters.
- (e) Commissioner Adams mentioned that we do not have a disease problem, the habitat damage is not an issue and the deer pattern is not an issue. Therefore, it comes down to hunter's ethics.
- (f) Commissioner King questioned ethics by whose standards.
- Motion
  - 1) Chairman Lambert asked Commissioner Lamp to read the motion from the February 13, 2002 WAC Meeting, "With these thoughts in mind, I would like to move that the Wildlife Advisory Commission recommend to the Department of Natural Resources that they revise current regulations prohibiting the baiting of deer by extending it to cover both public and private land." Commissioner Adams mentioned that he seconded that motion at that February meeting.
  - 2) Chairman Lambert asked all in favor of the stated motion say "I." Commissioner Lamp stated "I" and the remaining Commissioners said "No". The motion was denied.

#### **State Forest and Park Service Update**

- No report

#### **Natural Resources Police Update**

- Presentation by Sergeant Richardson
- Followed up on the previous discussion on the Executive Order to prohibit the discharging of firearms to include hunting in the four counties, Prince George's, Montgomery, Howard, and Anne Arundel.
  - 1) We know the Executive Order will apply through at least the Muzzleloader Season that started on October 17-19<sup>th</sup>.
  - 2) Bow and arrow is not considered a firearm by definition.
  - 3) Hunters can use a bow while hunting during early Muzzleloader Season.
  - 4) Hunters who want to hunt with a bow during the early Muzzleloader Season must possess a muzzleloader stamp. The deer would count as a muzzleloader kill.
  - 5) When Bow Season remains open during the Muzzleloader Season the hunter needs to have a Bow Stamp.
- NRP September Monthly Report [Attachment H]
  - 1) Since the snakehead issue NRP has received numerous calls from the public regarding identification of different fish species.
  - 2) In Montgomery and Frederick Counties, officers made charges regarding hunting doves with bait and over the daily bag limits. One individual had 37 doves, which was three times over the daily bag limit.
  - 3) In Garrett County, officers cited individuals for feeding bears in the Frostburg area.
  - 4) The Outdoor Safety Education Division received high demand this year for hunter education courses. Also, they are working on replacing the hunter safety paper cards with plastic cards.
  - 5) On September 11<sup>th</sup> NRP provided high visibility anti-terrorism patrols throughout the State.
- Questions and Answers
  - 1) Chairman Lambert asked what would be the charge for those hunters caught hunting with a firearm in those four counties. We currently do not have regulation to address this. However, whatever the "Executive Order" states, we can do emergency regulation.
  - 2) The "Executive Order" extends to the Deer Management Permit, which is typically used during the hunting seasons.

#### **MSA Update**

- No report

#### **Maryland Farm Bureau Report**

- Mr. Carl DeMatteo will be permanently replacing Jessica Fritz on working with wildlife issues for the State of Maryland.

**Old Business**

- Proposed establishment of a WAC subcommittee on urban wildlife issues [Attachment I]
  - 1) Chairman Lambert asked Commissioner Lamp to point out main ideas and then we will reschedule the Urban Wildlife Subcommittee to the next meeting under Old Business.
    - (a) The primary document was the Maryland Non-Lethal Task Force Report on wildlife management. The members included DNR, MSA and several of other groups.
    - (b) The Maryland Non-Lethal Task Force recommended that the WAC establish a subcommittee to explore and promote non-lethal methods of dealing with human/wildlife conflicts.
    - (c) We will have representatives primarily from community associations where the problems arise. Also, members from MSA and professionals as needed to discuss urban wildlife issues.
  - 2) Commissioners agreed to table discussion until the next meeting.

**New Business**

- Commissioner Dollar mentioned that a campaign of disinformation regarding the Draft Mute Swan Plan. There are a few websites that made some erroneous and false information about the groups that were included in the Draft Mute Swan Plan.

There being no further business, the meeting was adjourned at 11:45 a.m.

**Attendance**

Members:	T. Lambert, C. Dollar, W. Freeland, M. King, J. Lamp, L. Adams, R. Gregory
Guests:	C. DeMatteo, J. Gilford
Staff:	B. Beyer, B. Beckett, S. Bittner, K. Blizzard, R. Colona, B. Eyler, B. Harvey, L. Hindman, D. Hotton, B. King, B. Long, P. Peditto, S. Richardson, H. Spiker, E. Thompson, G. Timko, T. Spencer, D. Webster
Absent:	G. Fratz, K. Jones, C. Garner